

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GEORGE P. HENRY,

Plaintiff,

v.

CITIBANK, N.A., *et al.*,

Defendants.

CASE NO. C18-0523-JCC

ORDER

This matter comes before the Court on Plaintiff's notices of voluntary dismissal (Dkt. Nos. 37, 38) and motion for leave to file an amended complaint (Dkt. No. 40).

On June 1, 2018, Plaintiff filed a notice of voluntary dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(i) (Dkt. No. 37) and a stipulated dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) (Dkt. No. 38). Neither was sufficient to effect dismissal without order of the Court. (*See* Dkt. No. 39.) The Court instructed Plaintiff to cure the deficiencies and refile his stipulation jointly with Defendants. (*Id.*) Instead, Plaintiff filed a letter indicating his continued desire to dismiss the case, but sought to file an amended complaint should the case proceed. (Dkt. No. 40 at 1.) The Court finds that Defendants will face no plain legal prejudice from voluntary dismissal. *See Hamilton v. Firestone Tire & Rubber Co.*, 679 F.2d 143, 145 (9th Cir. 1982). Thus, the Court finds it appropriate to GRANT Plaintiff's request for voluntary dismissal in accordance with Federal Rule of Civil Procedure 41(a)(2). This matter is hereby

1 DISMISSED without prejudice. The Clerk is DIRECTED to STRIKE all pending motions and
2 hearings in this matter and to CLOSE the case.

3 DATED this 9th day of July 2018.

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7 John C. Coughenour
8 UNITED STATES DISTRICT JUDGE
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